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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,806	08/18/2003	Bill J. Pope	05261.058/6069.2 P	4773

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EXAMINER

FOOTLAND, LENARD A

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Applicant's election without traverse of the combination invention and the species of species of Fig(s). 2a-1 and 2a-2 is acknowledged. Claim(s) 1-3, 5-18, 20-21, 25-27, 29, and 39-57 are withdrawn from further consideration by the examiner, 37 C.F.R. § 1.142(b), as being drawn to non-elected species, not all claims depending upon or otherwise including the limitations of an allowed generic claim. It should be noted that these claims include claims 10 and 17-18, held nonelected because they depend on nonelected species claims. Also, on 8-10-06, noting that the examiner had in his requirement not listed a number of claims as subcombination claims that he should have, the examiner phoned the attorney to see if he wanted to reconsider his combination election, but the attorney indicated he would continue with it despite the additional claims that would be withdrawn.

Applicant is reminded that if the amendment of any claims results in a change of the species they read upon, that is required to be indicated. Failure to do so will be construed as an indication that the readability has not changed. In addition, if any new claims are added, it is required that the applicant indicate which of them read on the elected species. Failure to do so will result in a holding of nonresponsiveness.

Claim(s) 32, 33-38 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner finds that they are unclear and confusing, for instance with regard to the elected species, for the following exemplary reasons.

Claim 22's continuous phase polycrystalline diamond. The features of claims 32, 33, 34-38.

These features do not refer to the elected species. This rejection is made to provide applicant the opportunity to appeal this determination of nonreadability.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim(s) 4, 19, 23-24, 28, 30, 31 (and claims 32, 33, 34-38 to the extent reading on the elected species) are rejected under 35 U.S.C. § 102(e), as being anticipated by Fridez et al. ("Fridez") or Hall et al. ("Hall")

Fridez discloses all of the claimed elements including, for example, the diamond coating near 3 and substrate near 2. All rolling bearings slide to a degree.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lenard A. Footland, whose telephone number is (571) 272-7103.

Fax: 703-872-9326

A handwritten signature in cursive script, reading "Lenard A. Footland". The signature is written in black ink and is positioned above the printed name.

Lenard A. Footland

Primary Examiner

Technology Center 3600

Art Unit 3682

laf

August 16, 2006